

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Syed F.A. Hossainy, *et al.*

Examiner: PELLEGRINO, Brian E.

Serial No. 10/603,794

Art Unit: 3738

Filed: June 25, 2005

Confirmation No: 3469

Title: THERMAL TREATMENT OF A DRUG ELUTING IMPLANTABLE MEDICAL  
DEVICE

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Mail Stop: **Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

This is a response to the Restriction Requirement dated January 16, 2008.

The Examiner has identified four separate and distinct inventions within the claims of the above-identified patent application, namely:

- Group I** Claims 1-38, 49-51, 59-63, and 75-82 drawn to applying a polymer coating and solvent to be removed on a stent,
- Group II** Claims 39-48 and 52-58, drawn to a method of applying a reservoir coating layer with an active agent on a stent and having a barrier layer applied over the reservoir layer,
- Group III** Claims 64-69, drawn to a method of coating stent struts with an agent filled polymer and thermally treating to form different release rate sections, and
- Group IV** Claims 70-74, drawn to a stent having an active agent in a polymer coating.

**Applicants' election**

Applicants elect Group I of Claims 1-38, 49-51, 59-63 and 75-82, drawn to applying a polymer coating and solvent to be removed on a stent.

The Examiner has also identified two separate and distinct species namely:

- A) glass transition temperature
- B) crystallization temperature

**Applicants' election**

- A) glass transition temperature

The elections are made without traverse. Applicants reserve their rights to filing a divisional application for Group II, III and IV, and species B, crystallization temperature.


The undersigned authorizes any fees which may be required, or credit of any overpayment to be made to Deposit Account No. **07-1850**.

Should the Examiner have any questions regarding this communication, the Examiner is invited to contact the undersigned at the telephone number shown below.

Date: January 30, 2008

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Respectfully submitted,

  
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